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EXAMINER
LEE, JINHEE J

ART UNIT	PAPER NUMBER
2174	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/723,787	BRANSON ET AL.
	Examiner	Art Unit	
	Jinhee J. Lee	2174	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *12 March 2007*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-12, 15-19, 24-35 and 38-43* is/are pending in the application.

   4a) Of the above claim(s) *4, 12, 15, 16, 27 and 35* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-3, 5-11, 17-19, 24-26, 28-34 and 38-43* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All   b)☐ Some *   c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *1103*.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Election/Restrictions

1.   Applicant's election with traverse of election of Species b and aa in Paper Dated 3/12/07 is acknowledged. The traversal is on the ground(s) that search and examination of the species would not pose a serious burden to the office, and that the species are not distinct. This is not found persuasive for figures 2 and 3. Therefore, species a and b will be combined. However, examiner disagrees that figures 4 and 5 also show same embodiment, because figures 4 and 5 seem to also show some aspects of different embodiments such as displaying some of the previous hovering element and not others, or responding to key input, rather than hovering of the pointer element. These show different embodiments, therefore show distinct inventions. Restriction for examination purposes as indicated is proper.

        Furthermore, the applicant has not made the election between species aaa and bbb, rather cancelled all the claims pertaining to species aaa. Examiner perceives this as choosing species bbb.

        Still furthermore, although, the applicant selected claims 4, 12, 15, 16, 27 and 35, claims 4, 12, 15, 16, 27 and 35 are withdrawn from further consideration as being drawn to non-elected species, there being no allowable generic or linking claim.

        The requirement is still deemed proper and is therefore made FINAL.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3.   Claims 1-3, 5-11, 17-19, 24-26, 28-34, 38-43 are rejected under 35 U.S.C. 102(b) as being anticipated by Crawford (5754176).

Re claim 1, Crawford discloses a method of displaying hover assistance on a display screen, comprising: moving a pointer element to a position over a user interface element shown on the display screen in response to user manipulation of a pointing device (see item 502 on figure 5 for example); while the pointer element is positioned over the user interface element, invoking a first hover element for display on the display screen (see item 506 on figure 5 for example); and invoking a second hover element (see item 510 for example) for display on the display screen after invoking the first hover element, and while the pointer element continues to be positioned over the user interface element (see figure 5 for example).

Re claim 2, Crawford discloses a method, wherein the second hover element provides more detail regarding the user interface element relative to the first hover element (Multimedia for cool tip, see figure 5 for example).

Re claim 3, Crawford discloses a method, further comprising displaying the first and second hover elements simultaneously for a period of time and while the pointer

element continues to be positioned over the user interface element (see figure 1 and 5 for example).

Re claim 5, Crawford discloses a method, further comprising: removing the pointer element from the position over the user interface element; and removing from display at least one of the first hover element and the second hover element upon removing the pointer element (see items 520 and 522 for example).

Re claim 6, Crawford discloses a method, wherein the first hover element and the second hover element comprise help text specific to the user interface element (see abstract and figure 5 for example).

Re claim 7, Crawford discloses a method, wherein the first hover element and the second hover element are displayed in a single text box (in help window 10 for example).

Re claim 8, Crawford discloses a method, wherein at least one of the first hover element and the second hover element comprises information that is generated using at least one of a flash, video, audio, extensible markup language (XML) and hypertext generation tool (see column 6 lines 30-32 according to the numbering in the middle for example).

Re claim 9, Crawford discloses a method, wherein invoking the second hover element occurs after one of (i) expiration of a predefined period of time and (ii) a user input command to display the second hover element, whichever occurs first (see item 502 and time delay in figure 4C, the second hover element occurs after the time delay and displaying of the first hover element for example).

Re claim 10, Crawford discloses a method, wherein invoking the first hover element occurs after expiration of a first predefined period of time (time delay of item 502 for example) and invoking the second hover element occurs after expiration of a second predefined period of time (time delay of zero for example), wherein the first predefined period of time is shorter than the second predefined period of time and wherein expiration of both the first predefined period of time and the second predefined period of time are calculated from the same event.

Re claim 11, Crawford discloses a method, wherein the same event is detecting the pointer element at the position over the user interface element (see figure 5 for example).

Re claim 17, Crawford discloses a method, further comprising successively invoking a plurality of hover elements after invoking the second hover element (a multimedia would be displaying of multiple hover elements).

Re claim 18, Crawford discloses a method, wherein each successive hover element of the plurality of hover elements provides more detail regarding the user interface element relative to each previous hover element (each screen shot would be more information).

Re claim 19, Crawford discloses a method, wherein invoking of each successive hover element occurs after one of (i) expiration of a predefined period of time and (ii) a user input command to display the successive hover element, whichever occurs first (the predefined period of time being zero for example).

Re claim 24, Crawford discloses a computer readable storage medium containing a program which, when executed, performs an operation of displaying hover assistance on a display screen (see item 506 for example), the operation comprising: detecting a pointer element at a position over a user interface element shown on the display screen (see item 504 for example); while the pointer element is positioned over the user interface element, invoking a first hover element for display on the display screen; and invoking a second hover element for display on the display screen after invoking the first hover element, and while the pointer element continues to be positioned over the user interface element (see figures 1 and 5 for example).

Re claim 25, Crawford discloses a computer readable storage medium, wherein the second hover element provides more detail regarding the user interface element relative to the first hover element (Multimedia for cool tip, see figure 5 for example).

Re claim 26, Crawford discloses a computer readable storage medium, further comprising displaying the first and second hover elements simultaneously for a period of time and while the pointer element continues to be positioned over the user interface element (see figure 1 and 5 for example).

Re claim 28, Crawford discloses a computer readable storage medium, further comprising: detecting removal of the pointer element from the position over the user interface element; and removing from display at least one of the first hover element and the second hover element upon detecting the removal of the pointer element (see items 520 and 522 for example).

Re claim 29, Crawford discloses a computer readable storage medium, wherein the first hover element and the second hover element comprise help text specific to the user interface element (see abstract and figure 5 for example).

Re claim 30, Crawford discloses a computer readable storage medium, wherein the first hover element and the second hover element are displayed in a single text box (in help window 10 for example).

Re claim 31, Crawford discloses a computer readable storage medium, wherein at least one of the first hover element and the second hover element comprises information that is generated using at least one of a flash, video, audio, extensible markup language (XML) and hypertext generation tool (see column 6 lines 30-32 according to the numbering in the middle for example).

Re claim 32, Crawford discloses a computer readable storage medium, wherein invoking the second hover element occurs after one of (i) expiration of a predefined period of time and (ii) a user input command to display the second hover element, whichever occurs first (see item 502 and time delay in figure 4C, the second hover element occurs after the time delay and displaying of the first hover element for example).

Re claim 33, Crawford discloses a computer readable storage medium, wherein invoking the first hover element occurs after expiration of a first predefined period of time (time delay of item 502 for example) and invoking the second hover element occurs after expiration of a second predefined period of time (time delay of zero for example), wherein the first predefined period of time is shorter than the second

predefined period of time and wherein expiration of both the first predefined period of

time and the second predefined period of time are calculated from the same event.

Re claim 34, Crawford discloses a computer readable storage medium, wherein

the same event is detecting the pointer element at the position over the user interface

element (see figure 5 for example).

Re claim 40, Crawford discloses a computer readable storage medium, further

comprising successively invoking a plurality of hover elements after invoking the second

hover element (a multimedia would be displaying of multiple hover elements).

Re claim 41, Crawford discloses a computer readable storage medium, wherein

each successive hover element of the plurality of hover elements provides more detail

regarding the user interface element relative to each previous hover element (each

screen shot would be more information).

Re claim 42, Crawford discloses a computer readable storage medium, wherein

invoking of each successive hover element occurs after one of (i) expiration of a

predefined period of time and (ii) a user input command to display the successive hover

element, whichever occurs first (the predefined period of time being zero for example).

Re claim 43, Crawford discloses a system, comprising:

a display screen (see figure 1 for example),

a graphical user interface displayable on the display screen (see figure 1 for

example);

an input device for controlling movement of a pointer element over graphical

user interface elements of the graphical user interface (mouse pointer for example); and

a hover assistance manager configured for:

detecting a pointer element at a position over a user interface element shown

on the display screen (see item 502 on figure 5 for example);

while the pointer element is positioned over the user interface element, invoking

a first hover element for display on the display screen (see item 506 on figure 5 for

example); and

invoking a second hover element (see item 510 for example) for display on the

display screen after invoking the first hover element, and while the pointer element

continues to be positioned over the user interface element (see figure 5 for example).

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Jinhee J. Lee whose telephone number is 571-272-

1977. The examiner can normally be reached on M- F at 8:30AM-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Kristine Kincaid can be reached on 571-272-2100 ext. 74. The fax phone

number for the organization where this application or proceeding is assigned is 571-

273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jinhee J Lee
Primary Examiner
Art Unit 2174

jjl